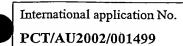
PATENT COOPERATION TREATY PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

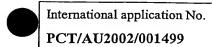
Applicant's or agent's file reference 31924WOP00	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416).					
International Application No.	International Filing Dat (day/month/year)	re .	Priority Date (day/month/year)				
PCT/AU2002/001499	5 November 2002		5 November 2001				
International Patent Classification (IPC) or	national classification an	d IPC					
Int. Cl. 7 A61J 1/10, A61M 5/00, B65D 35/00, 83/00							
Applicant							
THE UNIVERSITY OF NEWCA	ASTLE RESEARCH A	SSOCIATES LIM	ITED et al				
is transmitted to the applicant according	ion report has been prepa to Article 36.	red by this Internation	onal Preliminary Examining Authority and				
2. This REPORT consists of a total of 3	-						
X This report is also accompanied by amended and are the basis for this	y ANNEXES, i.e., sheets con	of the description, of	claims and/or drawings which have been made before this Authority (see Rule				
70.16 and Section 607 of the Adn	ninistrative Instructions u	nder the PCT).	made before and radiority (see Raic				
These annexes consist of a total of	These annexes consist of a total of 1 sheet(s).						
3. This report contains indications relating	to the following items:						
, I X Basis of the report							
II Priority			•				
III Non-establishment of opin	ablishment of opinion with regard to novelty, inventive step and industrial applicability						
IV Lack of unity of invention	·						
V X Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement							
VI Certain documents cited	·		•				
VII Certain defects in the inter	mational application		,				
VIII Certain observations on th	e international application	n					
Date of submission of the demand		te of completion of	he report				
4 June 2003	12	February 2004	·				
Name and mailing address of the IPEA/AU	Au	thorized Officer					
AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALL	A						
E-mail address: pct@ipaustralia.gov.au Facsimile No. (02) 6285 3929 Sue Thomas							
		enhone No. (02) 62	83 2454				

INTERNATIONAL PRELIMINARY EXAMINATION REPORT



	I.		Basis of the repo	rt		
Γ	1.	With		nents of the international application:*		
			the international	application as originally filed.		
		X	the description,	pages 1-9, as originally filed,		
.				pages, filed with the demand,		
				pages, received on with the letter of		
		X	the claims,	pages 11-13, as originally filed,		
				pages , as amended (together with any statement) under Article 19,		
				pages , filed with the demand,		
				pages 10, received on 18 August 2003 with the letter of 18 August 2003		
		X	the drawings,	pages 1/5-5/5, as originally filed,		
				pages, filed with the demand,		
				pages, received on with the letter of		
<u>.</u>			the sequence listing	ng part of the description:		
-	:	٠		pages, as originally filed		
				pages , filed with the demand		
			•	pages, received on with the letter of		
2.	. ,	With which	regard to the langu the international a	rage, all the elements marked above were available or furnished to this Authority in the language in application was filed, unless otherwise indicated under this item.		
				ailable or furnished to this Authority in the following language which is:		
			the language of a	translation furnished for the purposes of international search (under Rule 23.1(b)).		
	[the language of pu	blication of the international application (under Rule 48.3(b)).		
	[the language of the and/or 55.3).	e translation furnished for the purposes of international preliminary examination (under Rules 55.2		
3.	3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international					
	г			on was carried out on the basis of the sequence listing:		
	L		•	ternational application in written form.		
	Ļ			the international application in computer readable form.		
(Ĺ	_] :	furnished subseque	ently to this Authority in written form.		
	L		furnished subseque	ently to this Authority in computer readable form.		
				the subsequently furnished written sequence listing does not go beyond the disclosure in the action as filed has been furnished.		
			The statement that been furnished	the information recorded in computer readable form is identical to the written sequence listing has		
4.] 7	The amendments h	ave resulted in the cancellation of:		
			the descrip	otion, pages		
		•	the claims,	Nos.		
			the drawin	gs, sheets/fig.		
5.] I	his report has been o beyond the discl	n established as if (some of) the amendments had not been made, since they have been considered to osure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**		
*		Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).				
**				ntaining such amendments must be referred to under item 1 and annexed to this report		

INTERNATIONAL PRELIMINARY EXAMINATION REPORT



YES

NO

v.	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citat and explanations supporting such statement	ions
ŀ		

1.	Statement		
	Novelty (N)	Claims	YES
		Claims 1-18	NO
	Inventive step (IS)	Claims	YES
		Claims 1-18	NO

2. Citations and explanations (Rule 70.7)

Industrial applicability (IA)

D1 WO 96/04029

US 5207645

D2 CA 2083555

D4 GB 2165312

NOVELTY (N) Claims 1-18

Claims 1, 14, 15 All the features of each of the claims is provided by D1-D4. For example, D1 for claim 1 provides::

Chamber adapted to contain flexible bag of liquid

item 30

Outlet of bag adapted to receive conduit communicating with interior of bag

item 100

Gas source to apply pressure to exterior bag walls

item 54

Pressure regulator for predetermined substantially constant gas pressure

item 20

Claims 1-18

Claims

Gas pressure whereby liquid dispensed from bag outlet at substantially constant rate item 80

It is noted that D4 provides a gas pressure stabilised at the final level which is a chosen pressure, page 2, lines 84, 85, thus providing a pressure regulator, whether or not manually arranged, for a predetermined substantially constant gas pressure. Page 1, line 81, lists the advantage of "ensurance of a constant rate of flow" provided in D4.

All the features of claims 14 and 15 are similarly disclosed in D1-D4.

Claim 2: D1, D3 and D4 each provide all the features of the claim.

Claims 7 and 9: All the features of these claims are provided by D1 and D4, respectively.

Claims 3, 4 and 5: D1 and D3 each provide all the features of each of these claims.

Claims 6, 8, 10, 17 and 18: D1, D2 and D3 each provide all the features of each of these claims.

Claims 11 and 13: D2, D3 and D4 each provide all the features of each of these claims.

Claim 12: All the features of the claim are provided by D3.

Claim 16: All the features of the claim are provided by D2 and D4.

INVENTIVE STEP (IS) Claims 1-18

Since claims 1-18 lack novelty, they also lack inventive step.

THE CLAIMS DEFINING THE INVENTION ARE AS FOLLOWS:-

- 1. An apparatus for controlled rate dispensing of a liquid contained in a flexible bag, said apparatus including
- 5 a chamber adapted to contain the flexible bag containing the liquid;

an outlet from the chamber adapted to receive an outlet conduit communicating with the interior of the flexible bag;

a source of gas arranged to apply pressure to at least part of the exterior walls of the flexible bag; and

a pressure regulator arranged to maintain a predetermined substantially constant gas pressure applied to said exterior walls,

whereby the pressure applied to said exterior walls causes liquid to be dispensed from the flexible bag through the outlet conduit at a controlled and substantially constant rate.

15 2. The apparatus according to claim 1, wherein

the chamber is a substantially gas-tight chamber;

the outlet from the chamber is adapted to seal the outlet conduit to the chamber; and

the source of gas is arranged to supply gas under pressure to the interior of the chamber, thereby applying pressure to the exterior walls of the flexible bag.

3. The apparatus according to claim 1 or 2, wherein the pressure regulator is arranged to regulate flow of gas from the source of gas to the chamber.